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6 Attorneys for Plaintiffs

## 7 UNITED STATES DISTRICT COURT

## 8 FOR THE NORTHERN DISTRICT OF CALIFORNIA

9 PENSION TRUST FUND FOR OPERATING  
 10 ENGINEERS; et al.,

Case No.: CV 11-3285 LB

11 Plaintiffs,

**JOINT CASE MANAGEMENT  
 STATEMENT AND REQUEST TO  
 APPEAR TELEPHONICALLY;  
 [PROPOSED] ORDER THEREON**

12 vs.

13 CHEVREAUX AGGREGATES, INC., et al.,

Date: August 2, 2012

14 Defendants.

Time: 10:30 a.m.

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Ctrm: 4, 3rd Floor

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Judge: The Honorable Laurel Beeler

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Pursuant to this Court's Minute Order dated May 24, 2012, Plaintiffs and Defendant Martha E. Chevreaux, as Trustee for the Chevreaux Family Revocable Trust of 1973 and Martha E. Chevreaux Revocable Trust of 2004 (referred to herein collectively as "Defendants Chevreaux Trusts") hereby submit this Joint Case Management Statement and Request to Appear Telephonically at the Case Management Conference ("CMC") on August 2, 2012.

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1. Since the time the CMC was held on May 24, 2012, Defendants Chevreaux Trusts have provided additional documents to Plaintiffs that are relevant to the determination of whether Defendants Chevreaux Trusts are members of the same control group as Defendant Chevreaux Aggregates, Inc., and the scope of the assets held by Defendants. Defendants intend to produce additional documents prior to the CMC on August 2, 2012.

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2. Plaintiffs and Defendant Martha E. Chevreaux Revocable Trust of 2004 anticipate entering into a stipulated judgment upon completing review of additional documents.

3. Plaintiffs anticipate dismissing Chevreux Family Revocable Trust of 1973 from this action upon completing review of additional documents.

3       4. Default was entered against Defendants Chevreaux Aggregates, Inc. and Chevreaux  
4 Concrete, Inc. on August 10, 2011. Docket No. 14. Plaintiffs anticipate filing a motion for default  
5 judgment against Defendants Chevreaux Aggregates, Inc. and Chevreaux Concrete, Inc. upon  
6 completing review of additional documents.

7       5.      Counsel for Plaintiffs and Defendants Chevreux Trusts intend to appear at the  
8 CMC calendared for August 2, 2012. In an effort to minimize attorneys' fees counsel for the  
9 parties respectfully request to appear telephonically. The telephone number for Shaamini Babu,  
10 Plaintiffs' counsel, is 415-321-2406. The telephone number for Dennis Murphy, Defendants  
11 Chevreux Trusts, is 916-329-3072.

**SALTZMAN & JOHNSON LAW CORPORATION**

By: \_\_\_\_\_ /s/  
Shaamini A. Babu  
Attorneys for Plaintiffs

Dated: Jul 26, 2012 MURPHY AUSTIN ADAMS SCHOENFELD

**17** By: /s/  
**18** Dennis R. Murphy  
**19** Attorney for Defendant Martha E. Chevreaux, as  
Trustee for the Chevreaux Family Revocable Trust of  
1973 and Martha E. Chevreaux Revocable Trust of  
2004

## ORDER

22       BASED ON THE FOREGOING and GOOD CAUSE APPEARING, counsel for the  
23 parties are permitted to appear by phone for the Case Management Conference on August 2, 2012,  
24 at 10:30 a.m. The Court will initiate the call to Ms. Babu and Mr. Murphy before their case is  
called at or after 10:30 a.m.

25 | IT IS SO ORDERED

26 | Date: July 30, 2012

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THE HONORABLE LAUREL BEELER  
UNITED STATES DISTRICT COURT JUDGE